

MAIL STOP PCT

ATTORNEY'S DOCKET NUMBER: 26887U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <i>August 11, 2005</i>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NUMBER: (if known): <b>10/545190</b> Not yet assigned
INTERNATIONAL APPLICATION NUMBER: <b>PCT/EP04/50135</b>	INTERNATIONAL FILING DATE: <b>16 February 2004 (16.02.2004)</b>	PRIORITY DATE CLAIMED: <b>18 February 2003 (18.02.2003) EP</b>
TITLE OF INVENTION: <b>6-SUBSTITUTED IMIDAZOPYRAZINES</b>		
APPLICANT(S) FOR DO/EO/US: Peter Jan ZIMMERMANN, Wilm BUHR		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):  a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 2004/074289 A1, WITH INTERNATIONAL SEARCH REPORT (PCT/ISA/210); INTERNATIONAL PUBLICATION DATE: 2 SEPTEMBER 2004 (02.09.2004), WHICH CONSISTS OF 27 PAGES: 1 PAGE FOR THE COVER SHEET, WHICH CONTAINS THE ABSTRACT, 22 PAGES OF TEXTUAL SPECIFICATION WITH EMBEDDED FORMULAS, 4 PAGES OF 11 CLAIMS WITH EMBEDDED FORMULAS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A AND B TO BE EXAMINED; INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT/IPEA/409); PCT REQUEST WITH EXECUTED INVENTOR'S DECLARATION (PCT/RO/101); FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION (PCT/IB/332); SECOND AND SUPPLEMENTAL NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION (PCT/IB/332); NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT/IB/304); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

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U.S. APPLICATION NUMBER: (If known) <b>107545190</b>	INTERNATIONAL APPLICATION NUMBER: PCT/EP04/50135	DATE: <b>AUGUST 11, 2005</b>																																																						
<p>The following fees are submitted:</p> <table> <tr> <td>21. Basic National Fee .....</td> <td>\$ 300.00</td> <td rowspan="2" style="vertical-align: middle; text-align: center;"><u>CALCULATIONS</u></td> <td rowspan="2" style="vertical-align: middle; text-align: center;"><u>PTO USE ONLY</u></td> </tr> <tr> <td>22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) .....</td> <td>\$ 100.00</td> </tr> <tr> <td>All other situations .....</td> <td>\$ 200.00</td> <td></td> <td></td> </tr> <tr> <td>23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office .....</td> <td>\$ 400.00</td> <td></td> <td></td> </tr> <tr> <td>All other situations .....</td> <td>\$ 500.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2"> <u>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium).</u> The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.         </td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></td> <td style="text-align: center;"><b>\$ 900.00</b></td> <td></td> </tr> </table>			21. Basic National Fee .....	\$ 300.00	<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>	22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) .....	\$ 100.00	All other situations .....	\$ 200.00			23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office .....	\$ 400.00			All other situations .....	\$ 500.00			<u>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium).</u> The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.				<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$ 900.00</b>																													
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<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">CLAIMS</th> <th style="text-align: left; padding: 2px;">NUMBER: FILED</th> <th style="text-align: left; padding: 2px;">NUMBER: EXTRA</th> <th style="text-align: left; padding: 2px;">RATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: left; padding: 2px;">TOTAL</td> <td style="text-align: left; padding: 2px;">13-20=</td> <td style="text-align: left; padding: 2px;">0</td> <td style="text-align: left; padding: 2px;">X \$ 50.00</td> </tr> <tr> <td style="text-align: left; padding: 2px;">INDEPENDENT</td> <td style="text-align: left; padding: 2px;">1-3=</td> <td style="text-align: left; padding: 2px;">0</td> <td style="text-align: left; padding: 2px;">X \$ 200.00</td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 2px;">Multiple dependent claims(s) (if applicable)</td> <td style="text-align: left; padding: 2px;">+</td> <td style="text-align: left; padding: 2px;">\$ 360.00</td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: center; padding: 2px;"><b>\$ 900.00</b></td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td style="text-align: center; padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;"><b>SUBTOTAL =</b></td> <td style="text-align: center; padding: 2px;"><b>\$ 900.00</b></td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td style="text-align: center; padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;"><b>TOTAL NATIONAL FEE =</b></td> <td style="text-align: center; padding: 2px;"><b>\$ 900.00</b></td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b></td> <td style="text-align: center; padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;"><b>TOTAL FEES ENCLOSED =</b></td> <td style="text-align: center; padding: 2px;"><b>\$ 900.00</b></td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Amount to be: refunded</td> <td style="text-align: center; padding: 2px;">\$</td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 2px;">charged</td> <td style="text-align: center; padding: 2px;">\$</td> </tr> </tbody> </table>				CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE	TOTAL	13-20=	0	X \$ 50.00	INDEPENDENT	1-3=	0	X \$ 200.00	Multiple dependent claims(s) (if applicable)		+	\$ 360.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 900.00</b>	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).			\$ 0.00	<b>SUBTOTAL =</b>			<b>\$ 900.00</b>	Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +			\$ 0.00	<b>TOTAL NATIONAL FEE =</b>			<b>\$ 900.00</b>	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>			\$ 0.00	<b>TOTAL FEES ENCLOSED =</b>			<b>\$ 900.00</b>	Amount to be: refunded			\$	charged			\$	\$
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- a.  One check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card  WARNING: Information on this form may become public  Credit Card Information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

- Gary M. Nath
- NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> St., N.W., 6<sup>th</sup> Fl.,  
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Reg. No. 26,965  
Sheldon M. McGee  
Reg. No. 50,454  
Customer No. 34375

MAIL STOP PCT  
Attorney Docket: 25811  
**107545190**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ZIMMERMANN, et al.

Serial Number: Not Yet Assigned

Filing Date: *August 11, 2005*

Internatl. Appl. No.: PCT/EP04/50135

Internatl. Filing Date: 16 February 2004 (16.02.2004)

Title: **6-SUBSTITUTED IMIDAZOPYRAZINES**TRANSMITTAL LETTER

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Application Data Sheet;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US)  
     " Concerning Filing under 35 U.S.C. 371;
- (3) International Publication Number: WO 2004/074289 A1, with  
     International Search Report (PCT/ISA/210), International Publication Date: 2 September 2004 (02.09.2004), which consists of 27 pages:  
         1 Page for the Cover Sheet, which contains the Abstract,  
         22 Pages of Textual Specification with embedded formulas,  
         4 Pages of 11 Claims with embedded formulas,  
         0 Sheets of Drawings;
- (4) Preliminary Amendment with Appendixes A and B to be Examined;
- (5) International Preliminary Examination Report (PCT/IPEA/409);
- (6) PCT Request with Executed Inventor's Declaration (PCT/RO/101);
- (7) First Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308);
- (8) Second and Supplementary Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308);
- (9) Information Concerning Elected Offices Notified of their Election (PCT/IB/332);
- (10) Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304);
- (11) Check Number: 23465 in the amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$ 900.00) as a Large Entity;
- (12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date Filed: *August 11, 2005*

By:

  
Gary M. Nath

Registration Number 26,965  
 Sheldon M. McGee  
 Registration Number 50,454  
 Customer Number 34375

**NATH & ASSOCIATES PLLC**  
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